

Thus, assuming that HB3159 is actually enacted, the earliest Defendant Bexar County could possibly satisfy the relief requested in this case would be after it completes administration of its first election under the legislation on November 7, 2023; at which time this Court would be in a position to evaluate whether the implementation and compliance with the accessible balloting requirements under HB 3519 has in fact mooted Plaintiffs' claims by granting them "the entirety of the remedies they seek." *Veasey v. Abbott*, 248 F. Supp. 3d 833, 836 (S.D. Tex. 2017) (finding claims would only be mooted by legislation once "[a]ll relief requested had been achieved").

For the foregoing reasons, Plaintiffs respectfully request that the Court deny Defendant Bexar County's supplemental request to dismiss Plaintiffs' claims as moot and proceed with the current pre-trial and trial schedule as outlined in the Scheduling Order (ECF No. 29): Joint Pre-trial Order and Motions in Limine (June 16, 2023); Final Pre-trial Conference (June 29, 2023); and bench trial (to begin on July 10, 2023).

Respectfully submitted,

/s/ Lucia Romano

LUCIA ROMANO
Texas State Bar No. 24033013
Disability Rights Texas
2222 West Braker Lane
Austin, Texas 78758-1024
(512) 454-4816 (phone)
(512) 454-3999 (fax)
Email: lromano@drtx.org

/s/ Eve L. Hill

EVE L. HILL*
LAUREN J. KELLEHER*
Brown Goldstein & Levy, LLP
120 E. Baltimore Street, Suite 2500
Baltimore, MD 21202

(410) 962-1030 (phone)
(410) 385-0869 (fax)
Email: ehill@browngold.com
Email: lkelleher@browngold.com

/s/ Michael T. Murphy

MICHAEL T. MURPHY
Texas State Bar No. 24051098
RACHEL E. THOMPSON
Texas State Bar No. 24117139
KATHERINE A. PRESTON*
Texas State Bar No. 24088255
WILLIAM M. LOGAN*
Texas State Bar No. 24106214
Winston & Strawn LLP
800 Capitol Street, Suite 2400
Houston, TX 77002
(713) 651-2600
(713) 651-2700
Email: mtmurphy@winston.com
Email: rthompson@winston.com
Email: kpreston@winston.com
Email: wlogan@winston.com

*Admitted *Pro Hac Vice*

CERTIFICATE OF SERVICE

I certify that on the 6th day of June, 2023, a copy of the foregoing Response in Opposition to Defendant's Supplemental Motion for Summary Judgment was electronically filed with the Court and served via the CM/ECF system upon counsel for all parties.

/s/ Eve L. Hill

EVE L. HILL*